

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES SURETY COMPANY)
)
Plaintiff)
) Civil Action No. 05-675 GMS
v.)
)
M. MILLER TRUCKING, et al.)
)
)
Defendants.)

ORDER

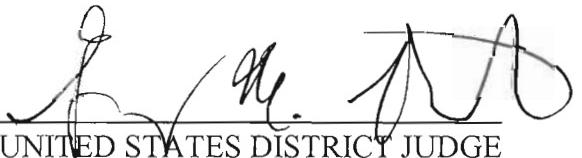
Pending before the court in the above-captioned matter is a Motion to Discharge Plaintiff in Interpleader and Petition for Attorneys Fees and Costs (D.I. 78). Having considered the plaintiff's motion and the lack of response from any defendant in this matter, the court will 1) grant the United States Surety Company's request to be discharged and 2) award an amount for attorneys fees and costs, as limited by the amount available for disbursement from the Clerk of Court.

IT IS HEREBY ORDERED that:

Plaintiff's Motion is GRANTED IN PART AND DENIED IN PART.

1. Plaintiff United States Surety Company is discharged.
2. The Clerk of Court shall disburse the principal amount of \$10,000, plus accrued interest, minus the registry fee, to the United States Surety Company.

Dated: January 30, 2007


UNITED STATES DISTRICT JUDGE

